

B-164031(1)
8-29-72



Administrative Enforcement Procedures under Title VI of the Civil Rights Act of 1964 and the Emergency School Assistance Program



~~B-164031(1)~~

AUG 29 1972

~~Respect to Mr. Hogan:~~
~~Dear Mr. Hogan:~~ *reference to your letter of 11/3/71 report concerned our review of*

~~In accordance with your letter of November 3, 1971, and later agreements reached with your office, the General Accounting Office reviewed the formal enforcement procedures of the Department of Health, Education, and Welfare (HEW) under title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4) and the provisions of the Emergency School Assistance Program (ESAP) applicable to discrimination.~~

~~We selected a sample from those school districts which had had title VI and ESAP administrative proceedings instituted against them and reviewed the case files to determine whether HEW had applied its procedures on a consistent and uniform basis in carrying out its actions. We did not, however, make any judgments as to the merits of the cases reviewed. We also examined into the adequacy of the coordination between the HEW Office for Civil Rights (OCR), which is responsible for the title VI compliance program, and the HEW Office of Education (OE), which is responsible for administering ESAP.~~

On the basis of ^{our} ~~the cases reviewed~~, we believe that HEW generally has complied with applicable laws and its regulations, policies, and procedures in administering formal enforcement proceedings under title VI and under ESAP. We believe also that adequate procedures exist for coordination between OCR and OE in title VI and ESAP administrative proceedings.

~~BACKGROUND~~

~~Provisions under title VI~~

~~Title VI of the Civil Rights Act of 1964 states that no person in the United States shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any federally assisted program or activity on the basis of race, color, or national origin. The act authorizes and directs each Federal department and agency which is empowered to extend--by way of grant, loan, or contract, other than a contract of insurance or guaranty--~~

RELEASED

ADMINISTRATION OF ENFORCEMENT
PROCEEDINGS UNDER TITLE VI OF
THE CIVIL RIGHTS ACT AND THE
PROVISIONS OF THE EMERGENCY
SCHOOL ASSISTANCE PROGRAM
APPLICABLE TO DISCRIMINATION

B-164031(1)
8/29/72

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE

RESTRICTED

Report to Congressman Lawrence J. Hogan pursuant to his request that we review the formal enforcement procedures of HEW under title VI of the Civil Rights Act of 1964 and the provisions of the Emergency School Assistance Program (ESAP) applicable to discrimination. The review was made to determine whether HEW had applied its procedures on a consistent and uniform basis in carrying out its actions. We also examined into the adequacy of the coordination between the HEW Office for Civil Rights, which is responsible for the title VI compliance program, and the HEW Office of Education, which is responsible for administering ESAP. We did not, however, make any judgments as to the merits of the cases reviewed.

We concluded that HEW generally had complied with applicable laws and its regulations, policies, and procedures in administering formal enforcement proceedings under title VI and under ESAP. We concluded also that adequate procedures existed for coordination between the Office of Civil Rights and the Office of Education in title VI and ESAP administrative proceedings.

HEW officials were not given an opportunity to formally comment on the matters discussed in the report.

Note: An index has not been prepared for this report.

088666

ADMINISTRATION OF ENFORCEMENT PROCEDURES UNDER
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 AND THE
EMERGENCY SCHOOL ASSISTANCE PROGRAM

B-164031(1)
8-29-72

RESTRICTED

Report to Congressman Lawrence J. Hogan, pursuant to his request.

The report concerned our review of the formal enforcement procedures of the Department of Health, Education, and Welfare (HEW) under title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4) and the provisions of the Emergency School Assistance Program (ESAP) applicable to discrimination.

On the basis of our review, we believe that HEW generally has complied with applicable laws and its regulations, policies, and procedures in administering formal enforcement proceedings under title VI and under ESAP. We believe also that adequate procedures exist for coordination ^{of the} ~~between OCR and OE~~ in title VI and ESAP administrative proceedings.

913459